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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/015,408 | 12/12/2001 | Robert J. DiStasio | 6177-16 | 9888 |

7590 01/31/2003

Fleit, Kain, Gibbons,
Gutman & Bongini, P.L.
750 S.E. Third Avenue, Suite 100
Ft. Lauderdale, FL 33316-1153

EXAMINER

SMITH, JAMES G

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| ART UNIT | PAPER NUMBER |
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3723

DATE MAILED: 01/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
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| ART UNIT | PAPER |
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Commissioner of Patents and Trademarks

see attached letter.

Art Unit: 3723

1. The amendment filed on 20 December 2002 electing the lock nut species is acknowledged, however all claims are drawn to the non-elected species of the tool or tool, nut and bolt combination and is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because as only claims to a lock nut per se must be presented. The parent application clearly has these claims as applicants have elected the same species in both cases. If applicants want the claims in the present application to be considered, then the election must be to the figures that contain only the tool and the corresponding claims.

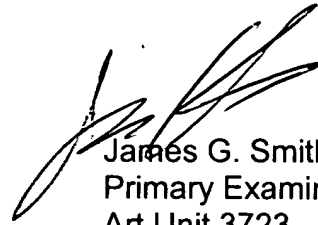
Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James G. Smith whose telephone number is 703-308-1746. The examiner can normally be reached on M-Th (7:05- 4:35) first Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J. Hail, III can be reached on 703-308-2687. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3579 for regular communications and 703-305-9835 for After Final communications.

Art Unit: 3723

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.



James G. Smith
Primary Examiner
Art Unit 3723

jgs
January 28, 2003